

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

JOSE J. ORTIZ,

Plaintiff,

vs.

SILVER STATE FORD,

Defendant.

Case No. 2:09-cv-01795-GMN-PAL


**ORDER**

(Mot for Waiver of Attendance - Dkt. #47)

Before the court is Defendant's Motion for Waiver of Attendance of Insurance Representative at Settlement Conference (Dkt. #47) filed August 15, 2011. Defendant represents one or more representatives from Gaudin Ford, which is partially responsible for payment of any settlement proceeds will be present and that the insurance representative resides out of state, is the sole person responsible for handling employment discrimination claims for the company, and that attending the settlement conference would require two days travel. Defendant also represents that Defendant will have a settlement position formulated before the settlement conference. Plaintiff did not file an opposition.

The court's standard order scheduling settlement conferences requires the personal attendance of individual parties, and individuals with settlement authority, including insurance company representatives because settlement conferences in this district are mandatory, and rarely productive without the physical participation of all concerned. However, the court will grant Defendant's request for an exception to the personal attendance requirement for the insurance carrier's representative with settlement authority imposing the requirement that the representative shall be fully informed about the case, prepared to discuss his settlement position, and available to participate telephonically for the duration of the conference.

1. Defendant's Motion for Waiver of Attendance of Insurance Representative at Settlement Conference (Dkt. #47) is **GRANTED**.
2. The insurance representative for HARCO insurance, Mr. Gary Kopacz, shall be available by telephone for the duration of the settlement conference scheduled for October 13, 2011, at 1:30 p.m.

  
Peggy A. Teen  
United States Magistrate Judge